



**State of Rhode Island and Providence Plantations
Water Resources Board**

Foundry Office Building, 3rd Floor, suite 394
235 Promenade Street, Providence, RI 02908
(401) 222-1450 • FAX: (401) 222-1454

RHODE ISLAND WATER RESOURCES BOARD MEETING #498

Monday, April 19, 2010 @ 1:00 PM

Minutes

Members Present

William Penn, Chairman
Samuel Kitchell
William Stamp, III
Harold Ward
Jon Schock
W. Michael Sullivan, PhD
Michael Walker*
Kevin Flynn
June Swallow

Staff Present

Kenneth J. Burke, General Manager
Kathleen Crawley, Staff Director
Romeo Mendes, Supervising Engineer
Peter Duhamel, Principal Planner
Emily J. Cousineau, Implementation Aide
*Member Designees

Members Absent

Pamela Marchand, Vice Chair
Ronnie Gibson
Jesse Rodrigues

Guests Present

Senator Leonidas P. Raptakis, District 33
Jessica Pagan, Brown University
Henry Meyer, Kingston Water
James Decelles, Pawtucket Water
Robert Boyer, Chair, Kent County Water
Bill Harritos, QDC
Timothy Brown, KCWA General Manager
Peter Masterson, Vice Chair, Kent County Water
Joseph McGair, Esq, Kent County Water
Ames Colt, RI BRWCT
Susan Licardi, Director, NK Water Department
Alicia Good, DEM
Kevin Breene, Town Administrator, West Greenwich
Thomas Boving, URI
Pasquale Delise, Director, Bristol County Water
Juan Mariscal
Megan Moody

CALL TO ORDER

Chairman Penn called the meeting to order at 1:20pm, noting that a quorum was not yet present.

CHAIRMAN'S REPORT

Chairman Penn reported that Governor Carcieri has approved the three new Board members. The next step will be a scheduled Senate hearing for advise and consent.

Mr. Penn noted damages in the Big River Management Area due to recent flood events. The dam at Sweet Pond had been washed out, as well as the Congdon Mill River Bridge. Staff has estimated up to approximately \$1 million to replace the bridge. Dr. Sullivan asked if the staff had pursued federal relief funds. Mr. Burke responded that he plans to attend a meeting with FEMA representatives on April 21, 2010.

GENERAL MANAGER'S REPORT

- Mr. Burke reported that he recently spoke on the topic of water allocation at the URI Land and Water Summit.
- Staff is currently receiving bids for the South County Well RFP.
- Mr. Penn added that the State Properties Committee has approved the divestment plan for Big River tenants. The Board's goal is to relocate all non-original tenants within the year. Mr. Breene

asked what the proposed time table was for original owners. Mr. Penn responded that original owners are allowed to stay in their homes for their life times. He added that, according to State legal counsel, children of said original owners will be treated as “normal” non-original owner tenants.

COMMITTEE REPORTS AND ACTION ITEMS

Technical Committee

Big River Well Development Project -- KCWA Joint Work Session

Motion by Dr. Sullivan, second by Mr. Schock, to ask the General Manager to create a proposal for a hydraulic analysis to investigate new water sources: A Mishnock well system (2.9 MGD permit), a Big River wells system (4.2 MGD expected), a combined system of Mishnock wells and the Big River wells, and an additional connection into the Providence Water Supply Board system through Bald Hill Road in Warwick with no new sources. The vote in favor was unanimous. The motion carried.

(Note on the motion: With the arrival of Mr. Stamp, a quorum was present at the time of the motion.)

Discussion

Mr. Penn provided background information to the Board. He emphasized that Big River provides a new, high quality, economically viable source of water for Kent County.

Mr. Burke stated that the currently KCWA has two viable sources of water and he hopes to do a detailed hydraulic model of the system. The Board’s goal is to provide low cost water to the Kent County rate payers.

Mr. Brown stated that the situation is more technically involved. He noted that, in 1996, KCWA wanted to drill in Big River. The effort was delayed by permitting and wetland studies. Mr. Brown also noted concern about being able to use the water in Big River on a continual basis. He had only seen portions of the water quality reports from January 2010. In addition, a great deal of cost, from planning and infrastructure, might be incurred by KCWA in order to accept additional sources from Big River.

Mr. Brown asked about the involvement of North Kingstown and QDC. Both entities had been considering a joint funding project for Big River, according to his understanding from January 2010. Mr. Penn replied that the Board would have its business plan by fall of 2010. The current estimates of cost suggest that Big River’s wells will provide comparable cost-per-gallon to what KCWA currently pays to Providence Water.

Concerning North Kingstown and QDC, Mr. Burke stated that no formal agreements were in place, but that both entities are still involved.

Dr. Sullivan stated that the logical first step would be to perform a hydraulic analysis. The Board would need to coordinate with KCWA.

Mr. Brown explained that KCWA had a proposal submitted in January 2010. Mr. Burke noted that their proposal was not acted on due to the need to verify baseline conditions and budget coordination.

Mr. Brown stated that KCWA would be utilizing the Mishnock. To use both sources would require many more studies.

Mr. Penn replied that, in 2007, the legislature suggested developing both the Mishnock well field and Big River. It would be ideal to address the issues collectively.

Mr. Schock stated that a hydraulic analysis and a financial analysis were needed for three scenarios: Mishnock alone, Big River alone, and the two systems in conjunction. He was unsure what agency would have the responsibility.

Dr. Sullivan asked if KCWA would agree to wait for the Board to complete an analysis of the Big River system. Then a similar analysis could be performed for the two systems together.

Mr. Burke added that to bring Mishnock online now would be a loss opportunity to rate payers of KCWA and the WRB.

Mr. Brown responded that the Mishnock is not the only source built into their hydraulic model. Kent County can not assume that Big River will be a substituted for the Mishnock. He further added that the Mishnock field would be going online, as directed by the Legislature. The Authority has already invested a great deal of time and funding into this source. Their goal is to provide basic water needs without needing to buy wholesale water from Providence. However, KCWA's plans did not consider Big River because the Mishnock project was started several years ago.

Ms. Swallow stated that the Board's goals and guidelines include reducing impact on the HAP aquifer and the State's reliance on the Scituate Reservoir. Achieving this would require more than three million gallons per day. She stated that both sources should be brought online.

Mr. Penn added that the board has discussed the matter extensively and that it is a priority to develop the Big River wells.

Mr. Walker asked what the time frame is for the Big River studies to be completed. The studies would provide data for the business model and assess the likelihood of connecting to Kent's system.

Mr. Burke responded that both boards must agree to baseline conditions for the study, such as infrastructure, quality treatment, and hydraulics.

Mr. Brown stated that such a full scale analysis of Kent's system would take until the fall. He further stated that the connection point currently proposed in the WRB business plan would not work with Kent's system.

(2:10pm – Mr. Stamp Enters. Mr. Penn noted that a quorum was present.)

Senator Raptakis added that the Legislative Study Commission's intent was to improve efficiency, not to build two separate treatment plants. A new plant was supposed to be constructed for the Mishnock wells. He further emphasized the need for collaboration between the WRB and the KCWA. He suggested asking voters for a small bond to put Big River online and correct potential hydraulic problems. Senator Raptakis saw this debate as a state agency versus private agency. He recalled that the treatment plant was intended to handle both sources of water.

Mr. Penn voiced support to research the three scenarios suggested by Mr. Schock.

Mr. Boyer noted a hesitation to confirm QDC's involvement even though that specific, economic area is stressed for water.

Mr. Penn explained that the concern is how to logistically get the water to that area, not whether the water is needed.

Mr. Boyer commented that he had written to Dr. Sullivan several months earlier about making water available to the area in question via a connection with Warwick. The project was estimated to cost \$5 million. Mr. Boyer did not receive a response.

Dr. Sullivan stated that the Warwick connection was not on the formal DEM priority list and, hence, not eligible for funding.

Mr. Boyer responded that the connection would provide immediate help for that region.

APPROVAL OF MINUTES

Motion by Mr. Stamp, second by Mr. Walker to approve the minutes of the Board meeting dated March 15, 2010. The vote in favor was unanimous. The motion carried.

FINANCIAL REPORTS

- A. Chief Business Officer's Report – March 2010
Motion by Mr. Penn, second by Dr. Sullivan to approve the Chief Business Officer's report for March 2010. The vote in favor was unanimous. The motion carried.
- B. Excerpts from the 2010 Supplemental Budget
No action was required on this item.

COMMITTEE REPORTS AND ACTION ITEMS (Continued)

Technical Committee

Bristol County Water Authority

Motion by Ms. Swallow, second by Mr. Flynn, to:

- Endorse the goal of increasing yield at the treatment plant.
- Ask staff to talk with the Rehoboth Board of Selectmen concerning permits for the Shad Factory pipeline.
- To review R.I.G.L. 46-15 for the Board's obligation to Bristol County in order to recommend possible revisions.

The vote in favor was unanimous. The motion carried.

Newport Water Authority

Ms. Swallow reported that staff had reviewed the environmental assessment report regarding the Lawton Valley Treatment Facility. The Technical Committee met and concurred with the staff review.

Allocation Committee

Allocation Program Status Update and Discussion of a Future Work Session

Motion by Mr. Ward, second by Mr. Kitchell to move the deadline for finalized regulations forward by one month. The vote in favor was unanimous. The motion carried.

Discussion

Mr. Penn recognized the great amount of personal time that Mr. Ward had spent on the Allocation program. The May Board meeting will include a block of time to review the committee's progress.

Mr. Ward noted that the committee met on April 7th, and on April 13th. He requested that the Board approve moving the deadline for finalized regulations forward by one month. He plans to have regulations prepared to go to hearing by June.

A letter will be sent to the legislature, informing them of the Board's intentions to move the deadline.

RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Dr. Sullivan second by Mr. Flynn to recess the Board Meeting and proceed into the Board Corporate Meeting at 2:51pm. The vote in favor was unanimous. The motion carried.

RETURN FROM BOARD CORPORATE BUSINESS

The Board returned from Board Corporate business at 2:53pm.

EXECUTIVE SESSION Pursuant to RIGL § 42-46-5 (a) (4) Investigative Proceedings Regarding Allegations of Misconduct

Chairman Penn postponed this item under the May 17th Board Meeting.

ADJOURNMENT

Motion by Dr. Sullivan, second by Mr. Flynn, to adjourn the meeting. The vote in favor was unanimous. The motion carried and the meeting adjourned at 3:00pm.

Respectfully Submitted,



Emily J. Cousineau
Implementation Aide